

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

ADVANCED TESTING CENTER, LLC,	)	
	)	
Plaintiff(s),	)	
	)	
vs.	)	Case No. 4:06CV1728 JCH
	)	
JESSE GALE, INC., et al.,	)	
	)	
Defendant(s).	)	

**ORDER**

This matter is before the Court on the parties' Joint Motion to Modify Case Management Order, filed December 7, 2007. (Doc. No. 49). Upon consideration, the Court will grant the motion in part.

Accordingly,

**IT IS HEREBY ORDERED** that the parties' Joint Motion to Modify Case Management Order (Doc. No. 49) is **GRANTED** in part, and the Case Management Order in this matter is altered as follows:

3(b). Plaintiff shall disclose all expert witnesses and shall provide the reports required by Rule 26(a)(2), Fed.R.Civ.P., no later than **January 7, 2008**, and shall make expert witnesses available for depositions, and have depositions completed, no later than **January 21, 2008**.

3(c). Defendants shall disclose all expert witnesses and shall provide the reports required by Rule 26(a)(2), Fed.R.Civ.P., no later than **February 21, 2008**, and shall make expert witnesses available for depositions, and have depositions completed, no later than **March 5, 2008**.

3(f). The parties shall complete all discovery in this case no later than **March 5, 2008**.

4. This case shall be referred to alternative dispute resolution on **January 7, 2008**, and that reference shall terminate on **March 5, 2008**.

5. Any motions to dismiss, motions for summary judgment, motions for judgment on the pleadings or, if applicable, motions to exclude testimony pursuant to Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993) or Kuhmo Tire Co. Ltd. v. Carmichael, 526 U.S. 137

(1999), must be filed no later than **March 31, 2008**. Any response shall be filed no later than **May 1, 2008**. Any reply shall be filed no later than **May 12, 2008**. In the event dispositive motions are filed prior to the above specified date, the opposing party shall file a response thirty days after the filing of the dispositive motion. A reply may be filed ten (10) days after the filing of the response. Briefing of such motions shall be governed by E.D.Mo. L.R. 4.01.

**IT IS FURTHER ORDERED** that this action is set for a **JURY** trial on **July 7, 2008**, at **9:00 a.m.**

**IT IS FURTHER ORDERED** that all other provisions of this Court's April 10, 2007, Case Management Order (Doc. No. 31) remain in effect.

**IT IS FURTHER ORDERED** that the parties' Joint Motion to Modify Case Management Order (Doc. No. 49) is **DENIED** in all other respects.

Dated this 10th day of December, 2007.

/s/ Jean C. Hamilton  
UNITED STATES DISTRICT JUDGE